

Social Monitoring Report

3rd Independent Report
December 2014

VIE: Power Transmission Investment Program, Tranche 1 – 500kV/220kV Bac-Ninh 2 - Pho Noi Transmission Line and 500kV Pho Noi Substation

Prepared by the Northern Vietnam Power Projects Management Board for the National Power Transmission Corporation and the Asian Development Bank.

This social monitoring report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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NATIONAL POWER TRANSMISSION CORPORATION

THE THIRD MONITORING REPORT

**INDEPENDENT MONITORING CONSULTANT FOR RESETTLEMENT
FOR THE POWER TRANSMISSION INVESTMENT PROGRAM,
TRANCHE 1**

ADB LOAN 2848-VIE

**500kV/220kV Bac Ninh 2-Pho Noi Transmission line and
500kV Pho Noi substation**

For the period September to December 2014

Submit to

The Northern Power Projects Management Board

No. 4, Nguyen Khac Nhu Str., Truc Bach ward, Ba Dinh district, Hanoi.

Prepared by

Independent Monitoring Consultant for Resettlement

HA NOI, DECEMBER 2014

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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AH	Affected Household
AP	Affected Person
CARB	Compensation and Resettlement Board
CCR	Consultant's Completion Report
CLFD	Center for Land fund development
CPPMB	Central Vietnam Power Project Management Board (CPPMB)
CRC	Compensation Resettlement Committee
DCARBs	District Compensation and Resettlement Boards
DMS	Detailed Measurement Survey
DONRE	Department of Natural Resources and Environment
DPC	District People's Committee
EA	Executing Agency
EMA	External Monitoring Agency
EVN	Vietnam Electricity
EVNNPT	Electricity of Vietnam's National Power Transmission Corporation
FS	Feasibility Study
GoV	Government of Vietnam
IOL	Inventory of Loss
NPPMBNPMB	The Northern Power Project Management Board
PPTA	Project preparatory technical assistance
RP	Resettlement Plan
SES	Socio-economic Survey
SPS	Safeguard Policy Statement
T/L	Transmission Line
TOR	Terms of Reference
USD	The United States dollar

I. INTRODUCTION

1. The independent monitoring consultant would like to submit her Third Mission Monitoring Report to describe the objectives of the independent monitoring assignment, detailed monitoring schedule, outline of the periodic monitoring report together with selected monitoring toolkit (including questionnaires, interview contents etc.) dedicated to the monitoring on RP implementation under Bac Ninh 2 – Pho Noi 500kV/200kV transmission line and 500kV/220kV Pho Noi substation sub-projects.

2. Following is the basis for the Consultants to prepare her Third Mission Monitoring Report:

- Based on Terms of Reference (TOR) for selecting independent monitoring consultants for Bac Ninh 2 – Pho Noi 500kV/200kV transmission line project.
- Based on contract No. 01/NPMB-P2 signed on 15 April 2014 between The Northern Power Projects Management Board and Ms Tran Thi Le Tam- Resettlement Specialist that was selected to provide Resettlement Independent Monitoring service for Bac Ninh 2 – Pho Noi 500kV/220kV transmission line under Power Transmission Investment Program, Tranche 1, funded by the Asian Development Bank.
- Based on the implementation plans of Bac Ninh 2- Pho Noi 500kV/200kV transmission line sub-project and 500kV/220kV Pho Noi substation sub-project.

II. BACKGROUND

II.1 Introduction to the sub-projects

3. The Socialist Republic of Viet Nam has received a loan from the Asian Development Bank (ADB) towards the cost of the Power Transmission Investment Program, Tranche 1. There are 4 Sub-projects included in the tranche 1 of the Multi tranche Financing Facility: Power Transmission Investment Program (the Facility) that finances part of the National Power Transmission Corporation's (NPT) medium-term power transmission expansion program in Viet Nam. Part of the proceeds of the loan will be applied for the construction of the (i) 500kV/220kV Bac Ninh 2 – Pho Noi transmission line and (ii) 500kV Pho Noi substation. The National Power Transmission Corporation (NPT) is the executing agency and the Northern Power Project Management Board (NPMB) is the implementing agency for the two sub-projects.

4. Location. The Bac Ninh 2-Pho Noi 500kV/220kV transmission line and associated 500kV Pho Noi substation is located in the two provinces of Bac Ninh and Hung Yen respectively. The starting point of the transmission line will be the 500kV bus bar of the Pho Noi substation that is located in the Hung Yen province and the ending point will be the 220kV bus bar of the Bac Ninh 2 substation located in the Bac Ninh province.

5. The 500kV/220kV Bac Ninh 2-Pho Noi transmission line (500kV/220kV BN2-PN T/L) is built with following specifications:

- Voltage level: 500kV/220kV
- Starting point: the proposed 500kV Pho Noi substation
- Ending point: the proposed Bac Ninh No.2 220kV substation
- Total length of the line: 30km
- Location: the line goes through 12 communes of 5 districts in two provinces (Tien Du, Que Vo, Gia Binh, Thuan Thanh districts of Bac Ninh province and Van Lam district of Hung Yen province).

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6. The 500kV Pho Noi substation and connections (500kV PN S/C) is built with following specifications:

- Voltage level 500kV/220kV
- Area occupied 239,872.7 m² (included substation and access road)
- Location: Viet Hung, Luong Tai commune, Van Lam district, Hung Yen province and Ngoc Lien commune, Cam Giang district, Hai Duong province

II.2 . Progress of civil work

7. Bac Ninh 2 – Pho Noi 500/220kV transmission line: The contractors had completed the supply of goods and equipment. The civil work for the transmission line had been started since December 2013 and had not completed yet. The status of construction for 500/20kV Bac Ninh 2 – Pho Noi Transmission line include: (i) number of foundations handed over: 90/92 and (ii) number of foundation molded: 87/92; (iii) Towers erected: 80/92 and (iv) Wire stringed: 30,127 km.

8. 500kV PN S/C sub-project: Construction for 500kV Pho Noi Substation: has not been deployed. The contract for supply of equipment and material for 500kV Pho Noi substation and connection was awarded to joint venture of SIEMENS Limited Company (Siemen Ltd Vietnam) & PT Siemens Indonesia & Siemens Transformer (GuangZhou) Ltd Company. Contract for supply of equipment and materials had been signed between NPPMB and bidder since September 2013. Auto-transformer and CIF goods are shipped and stored at Potraco's warehouse. EXW goods are not delivered yet.

9. Table 1: Project progress to the reporting time

Subprojects	Number of foundations	Number of foundations handed over	Number of foundation molded	Towers erected	Wire stringed
Bac Ninh 2 – Pho Noi 500/220kV transmission line	92	90	87	80	30.127 km
500kV PN S/C sub-project	44*	0	0	0	0

Sources: NPMB's data and reports, LIC's progress reports

(*) This is the total number of 4 component connection sub-projects of 500kV PN S/C sub-project, specifically: 1) 500 KV Quang Ninh – Thuong Tin: 5 foundations in Viet Hung commune-Hung Yen province; 2) 500 KV Bac Ninh 2 – PhoNoi: 05 foundations in Viet Hung commune-Hung Yen province; 3) 220 KV Pha Lai – Gia Loc: 16 foundations including 1 foundation sharing with 500 KV Bac Ninh 2 - Pho Noi in Viet Hung commune-Hung Yen province; 4) 220 KV Thuong Tin – Kim Dong: 19 foundations in Viet Hung and Luong Tai commune, Hung Yen province and Ngoc Lien commune, Cam Giang district, Hai Duong province.

II.3 Scope of land acquisition and resettlement

10. 500kV/220kV BN2-PN T/L sub-project will start at 500kV Pho Noi substation at Viet Hung commune, Van Lam district in Hung Yen province, and then traverse across 11 communes of Thuan Thanh, Gia Binh, Que Vo and Tien Du districts and ends at Bac Ninh No.2 220kV Substation. According to results of DMS, Bac Ninh has 86 locations, total of 370 HHs and 11 organizations will be affected with about 40,840 m² of affected agricultural land, 634 m² of affected aquaculture land, 6.582 m² of affected public land. Besides, total temporarily affected agricultural area of sub-project is 12,900m², in which 7,250m² of AHs and 5,650 m² of public land. In 04 sub-project districts, there is

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not any AH being relocated or having their houses/structures and shops affected. This sub-project is classified as Category B.

11. 500kV PN S/C sub-project: According to results of DMS, 500kV Pho Noi substation and its connection went through 02 communes of Luong Tai and Viet Hung, Van Lam district, Hung Yen province. Total of 422 HHs and 2 organizations will be affected with about 239,873 m² of permanently affected land, in which 193,299 m² of affected agricultural land, 46.573 m² of affected public land. Besides, total temporarily affected agricultural area of sub-project is 2,900 m², in which 2,900 m² of public land. There is not any AH being relocated or having their houses/structures and shops affected. This project is classified as Category A.

III. INDEPENDENT MONITORING TASKS

III.1 Scope of work

12. The First and Second Independent monitoring reports have sufficiently presented the scopes of work and monitoring methods according to the TOR. In this report, the scope of work of the independent monitoring is as follows:

13. Monitor and evaluate main project implementation activities and other relevant activities to the reporting time.

14. Monitor the implementation of the Resettlement Plan in 2 communes under the areas of 02 districts of for the transmission line in 500kV/220kV BN2-PN T/L sub-project and the two communes of 1 district in 500kV PN S/C sub-project.

15. At the moment, the DMS for 500kV/220kV BN2-PN T/L had been completed. The payment of compensation for foundations has been completed. DMS of 500kV PN S/C has been completed and a compensation plan for 6 remaining foundations the area of Hung Yen province has been prepared and being submitted to the competent agencies (Department of Natural Resources and Environment of Hung Yen province) for approval. Payment of compensation for 500kV Pho Noi substation under 500kV PN S/C sub-project has been finished. At the request of NPMB and ADB, for this third monitoring mission, the consultant concentrates in the compensation and site clearance progress in the 2 districts of Que Vo and Tien Du in Bac Ninh province regarding the foundations and in Van Lam district of Hung Yen province regarding the 500kV Pho Noi substation.

III.2 Objectives

16. Main objectives of the consulting service:

- Carrying out an analysis on the objectives of resettlement implementation, identifying outstanding problems and recommend corrective action measures;
- Learn about the socio-economic situation of the project area in general and the project affected households in particular, especially the severely affected household in order to form the baseline data for evaluating the project's impacts on the households' life as well as the effectiveness of the compensation and assistance.
- Give objective evaluations on the resettlement policy's implementation by reviewing readily available data and independent monitoring data and monitoring actual implementation activities especially on socio-economic development, social sustainability of affected community and the results.

17. In the third monitoring mission, there are some specific objectives:

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- Collect the latest information regarding the Project's impacts;; Check compensation documents and collect data on inventory, information disclosure, compensation and assistance; Identify deviations and issues that may arise during implementation and recommend actions for mitigation.
- Supervise and review such activities as compensation, assistance, site clearance for compensated items including: (1) 500kV/220kV BN2-PN T/L sub-project (2) 500kV PN S/C sub-project;
- Assess if rehabilitation and compensation measures are sufficient and in compliance with the resettlement plans and ADB's Safeguard Policy Statement (2009, as amended from time to time)

III.3 Methodology

18. The Independent Monitoring Report is implemented in accordance with each period indicated in the TOR. In this monitoring mission, IMC worked with NPMB, In Bac Ninh province, IMC met with Tien Du District Compensation and Resettlement Boards (DCARB), Tri Phuong and Chi Lang Commune Peoples Committees (CPCs) of Tien Du district and Que Vo district respectively. In Hung Yen province, IMC met with Center for Land Fund Development and Viet Hung Commune Peoples Committee of Van Lam district. To ensure that all required information can be obtained, IMC randomly checked a number of compensation dossiers provided by NPMB and District Compensation and Resettlement Boards (DCRB) and Center for Land Fund Development and conduct survey (over 20% of minor affected households (AHs) and 100% of severely affected households i.e. lost of more than 10% of land in the sub-projects areas.) The processes are as follows:

19. IMC had met with NPMB, LIC to collect and review documents, reports, data, permits and off-record information related to RP implementation and other the collectables to obtain an overview on the performance indicators, prepared for field trip. All documentation will be discussed in the subsequent part of this report.

20. IMC interviewed AHs, leadership and relevant stakeholders using some of the sociological survey tools mentioned below to evaluate and verify following issues:

- RP /updated RP/DDR of 500kV/220kV Bac Ninh 2-Pho Noi Transmission line
- RP/Updated PR/DDR of 500kV/220kV Pho Noi Substation and Connections
- Internal monitoring report Q3/2014 and Q4/2014 of the MFF Power transmission investment program-ADB Loan No. 2848-VIE prepared by National Safeguard Specialist for Resettlement
- Project information disclosure and local participation and consultation
- Process of Detailed Measurement Surveys (DMSs)
- Applied Cost Norm/Pricing
- Compensation payment
- Allowances and assistance
- Severely affected households
- Vulnerable groups
- Gender issues
- Livelihood restoration

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- Complaint and grievance redress
- Implementation coordination.

21. Methods were used in monitoring and collecting information include, but not limited to:

- Questionnaire interview: During the monitoring process, this tool is used as the main channel of information collecting to assess the resettlement implementation. IMC distributed questionnaires to villagers in the three hamlets of Tri Phuong commune in Tien Du District and one hamlet in Chi Lang commune in Que Vo District of Bac Ninh province and one hamlet in Viet Hung commune, Van Lam district, and Hung Yen province.
- In-depth interview: IMC conducted in-depth interviews with official from two selected DCARBs of Tien Du district and Que Vo district and Communal Peoples Committees of Tri Phuong in Tien Du district and Chi Lang in Que Vo district, Bac Ninh province and with Land Fund Development Center of Van Lam district and Communal Committee Viet Hung in Hung Yen province.
- Focused group discussion (FGDs): The group discussions were conducted with the hamlets/villages officials and representatives of villages. FGDs were designed to clarify issues that are unable to be made clear by questionnaires (for instance, typical cases, opinions or recommendations of APs etc.) all the while collecting information on the advantages, difficulties and solutions for the resettlement, compensation and assistance, evaluating the other issues related to the benefits of the AHs (especially the vulnerable people, the poor, the elderly, the disables, etc), participatory gender and livelihood issues, project impacts and grievance redressal.
- Observation: During the field trip, IMC visited and interviewed AHs to observe their living conditions and facilities. IMC also observe the construction sites to image how it may interfere in the daily life of the local people and the potential inconvenience etc.

22. Tools: IMC used supporting devices for information collection on the ground: recorders, cameras, papers and ball pens, etc. Data were processed using SPSS and Microsoft spreadsheets to process information acquired from questionnaires.

IV. Documents and recorded dossiers review

IV.1 Project related documents

23. IMC studied the entire project-related documents/dossiers recorded at the NPMB and DCRBs such as documents on compensation, site clearance for project's items including, but not limited to: (1) Compensation and site clearance dossiers (detailed inventory minutes, compensation payment minutes, site clearance commitment minutes, compensation option for AHs of each sub-project, etc.); (2) Decisions on compensation option approval as well as all relevant decisions; (3) legal documents in regard to compensation policies of the GoV and ADB including RPs; progress reports by NPMB, internal reports regarding resettlement; (5) Other related documents such as Decisions of Bac Ninh PPC and Hung Yen PPC on prices of land, trees and crops, houses and structures and other assets etc for compensation when the State recovers land;

IV.2 Legal basis in calculating the entitlement

24. The legal and policy framework for compensation, resettlement under the Project is defined by the relevant laws and regulations of the Government of Viet Nam and the ADB's policies. In case of discrepancies between the Borrower's laws, regulations, and procedures and ADB's policies and requirements, ADB's policies and requirements will prevail.

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25. Vietnam legislation regarding land acquisition, compensation, resettlement and entitlement are:
- The 2003 Land Law No.13/2003/QH11 passed by the National Assembly dated Nov.26, 2003.
 - The Land Law 2013
 - Decree No.197/2004/ND-CP dated Dec.3, 2004 on compensation, assistance, rehabilitation and resettlement in the event of land recovery by the State (which was expired on July 1, 2014, replaced by Decree 47/2014/ND-CP dated May 5, 2014)
 - Decree 198/2004/ND-CP dated December 3, 2004 on collection of land use levies (which were expired on July 1, 2014 and replaced by Decree No. 45/2014/ND-CP dated May 15, 2014 of the Vietnam Government providing on the collection of land use levies
 - Decree 181/2004/ND-CP dated October 29, 2004 on guiding the execution of Land Law 2003 and Decree 88/2009/ND-CP on October 19, 2009 guiding the certification of land tenure, ownerships over houses, and other assets on land (which were expired on July 1, 2014 and replaced by Decree No. 43/2014/ND-CP dated May 15, 2014 of the Vietnam Government guiding in detail a number of Articles of Vietnam Land Law.)
 - Decree No. 188/2004/ND-CP dated 16 November 2004 specifying methods for land pricing and land price frameworks in the event of land recovery by the State (which was expired on July 1, 2014, replaced by Decree 44/2014/ND-CP dated May 15, 2014 of the Vietnam Government providing on land price)
 - Decree No.123/2007/ND-CP dated Jul.27, 2007 on adjustment and supplementation of articles of the Decree No.188/2004/ND-CP dated Nov.16, 2004.
 - Decree No. 84/2007/ND-CP dated 25 May 2007 supplementing some provisions of land use right certificates, land acquisition, implementation of land use right, procedures and sequencing of compensation, assistance and resettlement when State recover land, and solving land grievances at the request of MONRE, (which was expired on July 1, 2014.)
 - GOV Decree No.17/2006/ND-CP dated Jan.27, 2006 on adjustment and supplementation of decrees on implementation guidelines of Land Law (which were amended by Decree 69/2009/ND-CP dated 13 August 2009 and Decree No.123/2007/ND-CP dated Jul.27, 2007 on adjustment and supplementation of articles of the Decree No.188/2004/ND-CP dated Nov.16, 2004 , expired on July 1, 2014)
 - Decree No. 69/2009/ND-CP dated 13 August 2009 amending a number of provisions on land use planning, land rental rates, land reclamation, and resettlement and compensation. Some of the main articles were guided by Circular No. 14/2009/TT-BTNMT, dated 1 October 2009 guiding the implementation of Decree 69/2009/ND-CP.
 - Decree No.14/2014/ND-CP dated Feb.26, 2014 stipulating in detail the execution of Electricity Law regarding electrical safety.
 - Circular No. 114/2004/TT-BTC dated 7 December 2004 guiding the implementation of Decree No. 188/2004/ND-CP (which was expired on July 1, 2014, replaced by Circular 36/2014/TT-BTNMT dated June 30, 2014 stipulating the details for identifying land prices, preparing and revising land price table; land valuation and consulting to identify land prices)
 - Circular 30/2014/TT-BTNMT dated June 02, 2014 on defining the documents for land allocation, land leasing, change the land use purposes, land acquisition

Regulations from Bac Ninh PPC:

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- Decision No.171/2009/QD-UBND dated Dec. 18, 2009 of Bac Ninh PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Bac Ninh province.
- Decision No.157/2011/QD-UBND dated Dec. 27, 2011 of Bac Ninh PPC on amending Item 1, Article 10 of Decision No.171/2009/QD-UBND dated Dec. 18, 2009 of Bac Ninh PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Bac Ninh province.
- Procedures on compensation, assistance and resettlement in the event of land recovery by the State in Bac Ninh province
- Decision No.652/2012/QD-UBND dated May. 28, 2012 of Bac Ninh PPC on procedures on price unit of housing, architect applied for site-clearance in Bac Ninh province.
- Decision No.570/2013/QD-UBND dated Dec. 25, 2013 of Bac Ninh PPC on procedures on price of types of land in 2014 in Bac Ninh province\

Regulations from Hung Yen PPC:

- Decision No.09/2011/QD-UBND dated June 1st, 2011 of Hung Yen PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Hung Yen province
- Decision No.15/2013/QD-UBND dated Dec. 20, 2013 of Hung Yen PPC on procedures on price of types of land in 2014 in Hung Yen province;
- Notification No 103/TB-STC dated October 2nd, 2012 of Hung Yen Ministry of Finance on compensation price unit for tree and domestic animal in Hung Yen.

26. ADB's policy to be followed is the ADB Safeguard Policy Statement 2009 which was provided on ADB website at <http://adb.org/sites/default/files/pub/2009/Safeguard-Policy-Statement-June2009.pdf>.

27. In general, the Land Laws 2003, 2013 and the guiding Decrees and Circulars of Vietnam satisfy the most principles and objectives of the ADB's Policy on Involuntary Resettlement with some minor discrepancies as being provided in Appendix 3.

V. FINDINGS

28. This third mission monitoring report has been prepared with the participation of and in consultation with key stakeholders, such as NPMB, DPCs and DCARBs, authorities of affected communes, project affected persons (APs) and other concerned parties. A list of people met by the consultants is provided in Appendix 1. The following findings are provided, based on careful cross-checking with the relevant documents and concerned parties, which are broken into the headlines, as follows:

V.1 Information Disclosure, Consultation and Community Participation

29. Project information disclosure is an important task during project implementation. When this work is implemented effectively, it will facilitate project implementation process as local people will have comprehensive understanding of project information and benefits. Therefore, they will support and actively participate in the project. Project information disclosure and public consultation are aimed to: (i) increase local people's awareness of the project; (ii) avoid the risks of project delay; (iii) design an appropriate resettlement program for APs and maximize the project's socio-economic benefits; (iv) ensure that AP's can really participate in making decisions on issues

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directly concerning their income and living standards; and (v) ensure transparency of all activities related to land acquisition, resettlement, and living restoration.

30. Communication and information disclosure on the Project have been conducted right after the approval of the Project. Before site clearance activities are carried out, information about APs' benefits, Project policies, Project's environment impacts, Project operationalization, responsibilities of stakeholders and grievance mechanism, etc. were all made known to local people by the local authorities at all levels.

31. Project information disclosure and community consultation under the two sub-projects were carried out in the steps as follows:

- Publicize project information at DPCs, CPCs, and community cultural houses and the communes' loud speakers.
- DMSs: NPMB (Compensation department) together with the DCRBs in Bac Ninh province and Center for Land Fund Development in Hung Yen province prepares the compensation plans to submit to the Project District Peoples Committees for approval. Based on the results, DCRBs in the sub-project in Bac Ninh province and Center for Land Fund Development in the sub-project in Hung Yen province prepared the compensation options and NPMB review and approve them.
- After the compensation plans are delivered to the Communes, the Communes invite chiefs of the hamlets to a meeting to discuss about organization of compensation disclosure to villagers. The chiefs then help CPCs invite AHs to a meeting at communal houses to inform about the acquired land area of each household then post them at DPCs, CPCs, and community cultural houses and read through communes' loud speakers. If there is neither error nor mistake, compensation should be paid to APs and obtain a list of recipient's signatures. If have, then the information is cross-checked with the APs to fix it before processing the next step.

32. Before conducting the site clearance, information on the entitlement, project policies, environment impact of the project, project implementation arrangement, responsibilities of the stakeholders and grievance redress mechanism etc were informed to the local people through several consultation meetings.

33. During the implementation period, to the reporting time, the project information and resettlement issues have been disseminated to the local people for two times by the NPMB and the DCARBs/CLFD. The first time was before DMS and the second time was the publicizing the compensation plan in offices of the CPCs and communal houses of the affected villages.

34. During the public posting of the compensation plan, some households in the surveyed villages had some complaints about the mistakes/errors regarding the inventory and the pricing, staff of NPMB/Division of Compensation together with the DCARBs/CLFD and the CPCs have checked and revised and then prepared final payment plan then reposting.

35. The timing for posting the compensation plan in both sub-projects was 20 days (20 days for the first posting, after revising, another 20 days were for reposted the revised plan). These practices in 500kV/220kV BN2-PN T/L sub-project and 500kV PN S/C sub-project were checked with the local authorities and APs by IMC. They confirmed that the timing for posting of compensation plans/revised compensation plans were strictly followed.

36. Beside, the communal authorities also provide information to the AHs through communal loudspeakers for them to know about the DMS plan, posting of compensation plan and payment plan.

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It is noted by the consultant that most of the AHs know clearly about the project information i.e. project impact, project scope, DMS, payment of compensation and assistance, construction projection of the project etc.

37. Aside from the official public disclosure and consultation, it is seen by the IMC that project information was communicated with the local authorities and citizens in many ways, i.e. DMS when the measurements were taken with the household's participation, the publication of compensation plan, and through loudspeakers when the AHs were informed to go to receive compensation and assistance amount. However, the survey results shown that still there are some certain restrictions, such as (i) Information dissemination was mainly one way, there are no exchanging of opinions from the project to people, the AHs did not have many opportunities to exchange and dialogue with the investor and the local governments (ii) the information and compensation policy of the project were provided mostly verbally during meetings, many of the AH did not remember the details so the community's understanding about the project's AH support policy is limited. It was cross-checked with APs and the staff in charge from NPMB that in 500kV PN S/C sub-project, when AHs come to receive the compensation money, if they were still confused about the project's policies (i.e. discrepancies between cost-norms of the two sub-projects applied, he was there to explain very carefully to them to avoid misunderstanding and unneeded complaints that may arise which were confirmed by the APs interviewed.

38. General comments: Public consultation had been conducted by NPMB, DCARBs/CLFD, relevant CPCs in an openly and transparently basis. In the consultation meetings, officials announced the project's contents, entitlement of the AHs, grievance redress mechanism. The chief/deputy chiefs of the affected villages are considered as the key supporter for the project in terms of advocating and motivating the AHs to participate actively in the public consultations and support the project in general.

V.2 Detailed Measurement Survey (DMS)

39. Establishment of District Compensation, Assistance and Resettlement Boards (DCARBs) in the affected districts in Bac Ninh province had been carried out in August 2013. The DCARBs worked together with staff from Resettlement and Compensation Division in NPMB to conduct DMSs since December 2013. As of the monitoring time (December 2014), DMSs in all four project districts in Bac Ninh province have been completed.

40. DCARBs in project Districts of Bac Ninh province and Center for Land Fund Development (CLFD) in Hung Yen province together with the Resettlement Division of NPMB, communal inventory teams conducted the measurements, preparing DMS results with the participation of the concerned land owners. After DMS, the results were delivered to the AHs. They checked and then signed in the DMS lists. The measurement processes were jointly participated by: (i) staff from NPMB/compensation division; (ii) staff of DCARBs in Bac Ninh province and CLFP in Hung Yen province; (iii) communal staff; (iv) village staff; (v) representatives of the AHs. After agreeing on the affected land and crops, all parties signed in the DMSs. This was the basis for preparing compensation plans for the AHs.

41. To the reporting time, DMS in Bac Ninh2-Pho Noi 500kV/220kV transmission line sub-project and DMS for Pho Noi Sub-station sub-project have been completed.

V.3 Unit price and compensation pricing

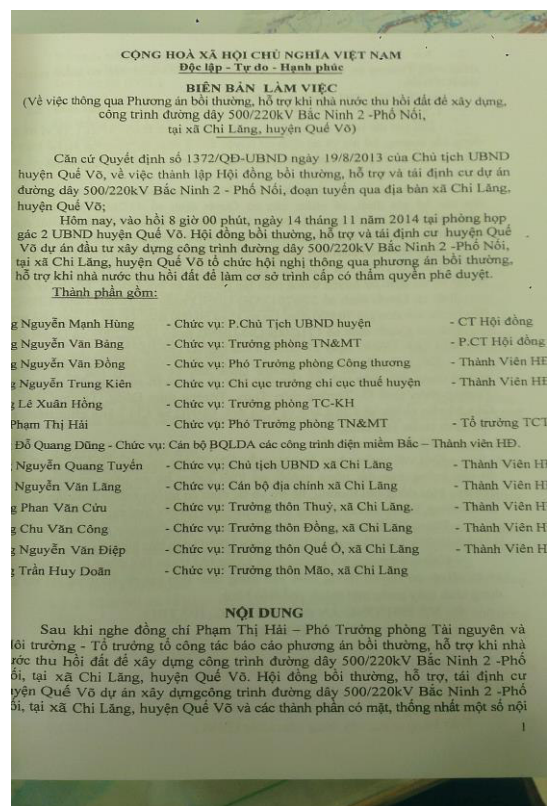
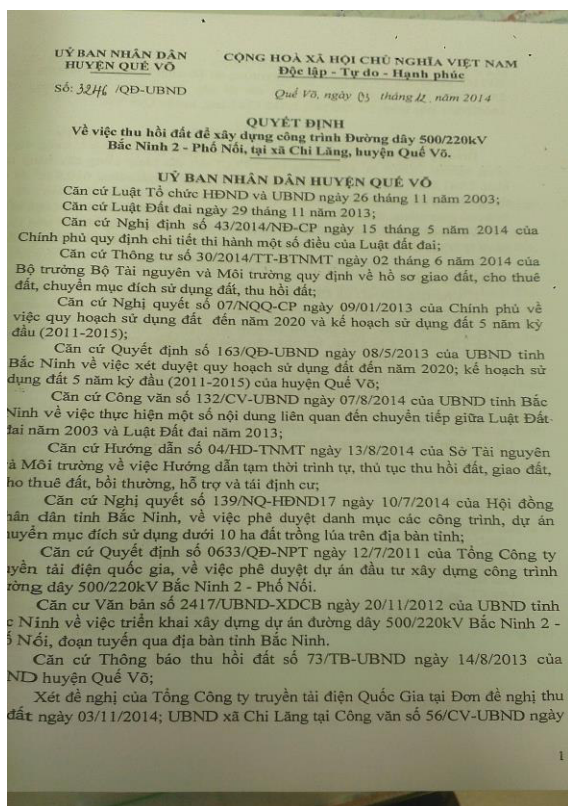
V.3.1. 500kV/220kV BN2-PN T/L sub-project

42. At the time of monitoring, no agricultural land transaction had been recorded in the area. It was likely that the unit prices issued by the Provinces are the only basis for compensation pricing which were reportedly satisfied by the AHs.

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43. According to the Article 3, Paragraph 3, Point a of Circular 30/2014/TT-BTNMT dated June 02, 2014 on defining the documents for land allocation, land leasing, change the land use purposes, land acquisition guiding the implementation of Decree No. 43/2014/ND-CP dated May 15, 2014 of the Vietnam Government guiding in detail a number of Articles of Vietnam Land Law, relating to Article 58 of Land Law 2013, a change in the land use purpose should be approved by Prime Minister OR Resolution of Provincial People's Council, the bottleneck of 500kV/220kV BN2-PN T/L sub-project on lacking legal permission for changing land use purpose was solved with the Resolution 139/NQ-HĐND dated June 10, 2014 of Bac Ninh Provincial People's Council to approve the list of works and projects in need of changing land use purposes with less than 10ha of rice field in the province area including Bac Ninh 2 Pho Noi 500kV/220kV transmission line sub-project. (500kV/220kV BN2-PN T/L sub-project acquires about 40,840 m² of affected agricultural land, 634 m² of affected aquaculture land, 6,582 m² of affected public land, totally less than 10 ha). In Chi Lang commune, Que Vo district, a Decision on land acquisition has been issued in December 03, 2014 making the advanced payment for compensation and assistance official.



Photos 1, 2: Endorsement of Compensation and Assistance Plan of Que Vo DCRAB, 500kV/220kV BN2-PN T/L sub-project and Decision of land acquisition in Chi Lang commune, Que Vo district

44. Based on the DMS, NPMB and the DCARs in Bac Ninh province undertook the compensation and assistance pricing based on the regulations of compensation, assistance and resettlement of the Government and Bac Ninh PPC in the following legal documents: The pricing for compensation and assistance under this project which was prepared by the NPMB and DCARs were very precise and complied to all the current legal documents i.e. Land Law 2013; Decree No. 45/2014/ND-CP dated May 15, 2014 of the Vietnam Government providing the collection of land use levies; Decree No. 43/2014/ND-CP dated May 15, 2014 of the Vietnam Government guiding in detail a number of Articles of Vietnam Land Law; Decree No. 47/2014/ND-CP dated May 15, 2014 of the Vietnam Government providing on compensation, support, resettlement when land is recovered by the State; Decree No. 44/2014/ND-CP dated May 15, 2014 of the Vietnam Government providing on land price, Decision

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No.157/2011/QD-UBND dated Dec. 27, 2011 of Bac Ninh PPC, Decision No.171/2009/QD-UBND dated December 18, 2009 of Bac Ninh PPC, Decision No.570/2013/QD-UBND dated Dec. 25, 2013 of Bac Ninh PPC on procedures on price of types of land in 2014 in Bac Ninh province, Decision 47/2008QD-UBND dated April 08, 2008 of Bac Ninh Provincial Peoples Committee on issuance of remaining minimum land area after acquisition when the State recovers land area in Bac Ninh province and based on the RP's matrix of entitlement.

V.3.2. 500kV PN S/C sub-project

45. In Hung Yen province, since such a Prime Minister's permit has been achieved for all projects in Hung Yen province (Letter 1480/TTg-KTN dated September 2013 on changing the land use purpose from rice planting to do other activities under projects in Hung Yen province), Hung Yen PPC has issued its Decision 1006/QD-UBND dated June 27, 2014 on land recovery for conducting 500kV Pho Noi substation and connection. Van Lam DPC issued its decisions on land recovery for each of the AH on June 30, 2014.

46. Based on the DMS, NPMB and the Center for Land Fund Development (CLFD) in Hung Yen province undertook the compensation and assistance pricing based on the regulations of compensation, assistance and resettlement of the Government and Hung Yen PPC in the following legal documents: The pricing for compensation and assistance under this project which was prepared by the NPMB and CLFD were very precise and complied to all the current legal documents i.e. Land Law 2003; Decrees No. 197/2004/ND-CP; 123/2007/ND-CP; Decree No.188/2004/ND-CP; Decree No. 69/2009/ND-CP; Circular 14/2009/TT-BTNMT guiding the implementation of Decree No. 69; Circulars No. 116 and 114/2004/TT-BTC of MOF on price determination method and price frame for different kinds of land as well as the policies on compensation and resettlement assistance of Hung Yen province; Decision No.09/2011/QD-UBND dated June 1st, 2011 of Hung Yen PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Hung Yen province; Decision No.15/2013/QD-UBND dated Dec. 20, 2013 of Hung Yen PPC on procedures on price of types of land in 2014 in Hung Yen province; Notification No 103/TB-STC dated October 2nd, 2012 of Hung Yen PPC on compensation price unit for tree and domestic animal in Hung Yen province.

47. After preparing the pricing for land and asset compensation and other assistance for the AH, NPMB, in coordination with the DCARBs/CLFD undertook the publicizing about the pricing and calculation of compensation and assistance for the AHs. In the surveyed communes in Bac Ninh province, the publicizing took 20 days and another 20 days after the plans were revised according to the complaint of the relevant AHs. The compensation plans were only considered completed to submit for approval when there was no complaint anyway.

48. After the compensation plans were approved, Statements prepared by NPMB/Compensation division and DCARBs/CFLFP regarding the request for verification for the compensation plants to submit to the district functional division. After verification, the compensation plans were submitted to the DCPs for approval (together with the summary table of the compensation and assistance amount by each AH according to the compensation plans)

49. In general, to the reporting time, in two sub-projects in Bac Ninh and Hung Yen provinces, compensation plans are made available and the payments were almost completed accordingly.

V.4 Compensation and Assistance Payment

V.4.1. 500kV/220kV BN2-PN T/L sub-project

50. In the surveyed communes in Bac Ninh province, payments have been made under the form of advance payments. The survey results shown that the AHs received advancing amounts combining compensation and assistance starting from Quarter 2/2014. The households are satisfied with the compensation and assistance pricing since the unit prices are similar to the replacement prices and are answerable to the current regulations which are also agreeable to the contents of Resettlement Plan. The compensation plans of the four affected districts in Bac Ninh province have been completed and publicized at different paces, ranging from November 2013 until July 2014.

51. The total cost estimate for payment of compensation and assistance in Bac Ninh province is VND 26,495,000,000 (equivalent to USD 1,232,326). In which, (i) total compensation for affected land is VND 3,308,819,266; (ii) total compensation for crops and trees is VND 406,914,348; (iii) total amount of assistance is VND 19,897,831,000; (iv) management cost is VND 472,271,292; (v) contingency is VND 2,408,583,591.

Table 2: Breakdown of compensation and assistance for 500kV/220kV BN2-PN T/L sub-project in Bac Ninh province

District	Compenstion		Assistance				
	For land*	Tree and crops	Livelihood restoration	Vocational training and jobs	Households with temporary land title**	Assistance for removing graves	70% returned to the commune
Gia Binh	265,125,000	34,087,500	35,580,000	1,271,900,000	N/A	N/A	N/A
Tien Du	268,058,000	34,464,600	38,294,000	1,340,290,000	N/A	N/A	N/A
Que Vo	592,847,000	71,225,100		2,303,502,000	16,618,200	N/A	38,775,800
Thuan Thanh	1,114,568,000	134,300,748	131,000,000	4,585,000,000	40,196,100	11,960,000	93,790,900

52. Source: LIC's report, NPPMB's official letter 1799/AMB-TCKT dated April 11, 2014 and DMS results as of September, 2014

(*) including public land

(**) 30% of compensation rate for land

53. In Bac Ninh province, compensation payment completed for 86/86 foundations, total compensation payment cost for 86 locations is **VND 26,495,000,000** (payment for APs) under the protocol of advancing payment. There are 86 tower locations in Bac Ninh province out of 92 ones in the scheme. To the reporting time, all the payments have been made.

54. The payment was reported as very convenient for the local people. One staff in charge of payment from NPMB together with staff from corresponding CARD visited the communes regarding the payment. Payments were made at the communal cultural houses. Before that, AHs were informed by loud speakers regarding the venue and timing of payments. Payment for each AH was made in one time, combined with all other assistances, i.e. for livelihood stabilization and job creation, for each AH. Payments have been made quickly with simple and favorable procedures for the affected people. They signed in the compensation logbooks and were able to keep one copied sheet of each AH. A small number of AHs when asked said they were not given with receipt or logbook so they surprisingly could not recall how many areas were affected by the project. However, they were able to remember the compensation amounts paid which were then cross-checked by the consultant with the DMS table and

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compensation plan; they confirmed that the amounts were correct with the DMS results and the totals specified in the DMS tables and compensation plan.

55. Other AHs reported that due to the payment were made during harvesting time, the families were busy ripping the rice so only one spouse could go to get the compensation and assistance amounts and signed in the receipts. The payments were reportedly correct and exact with the DMS results. As of the monitoring time, all households in the surveyed communes received their money.

V.4.2. 500kV PN S/C sub-project

56. Unlike 500kV/220kV BN2-PN T/L sub-project, The compensation payment for 500kV PN S/C sub-project has been assigned for Center for Land Fund Development (CLFD) of Hung Yen Department of Natural Resources and Environment for preparing, submit for approval of compensation and assistance plan and coordinating with NPMB for payment, without setting up a DCARB.

57. In Hung Yen province, for the cases of pending payments of 18 households in Dong Trung hamlet, Viet Hung commune where the affected land areas have been transferred/exchanged with other farmers without changing red-books. These areas at the time of transferring/exchanging have been registered in the District/Commune Land administration Logbooks. When the DMS was conducted, however, it is the names in the red-books were entered into the calculation table. The Center for Land Fund Development and Viet Hung CPC were together issue official letters to confirm the recipients of the compensation amounts corresponding to the DMS and the actual land users. The cases were closed in agreement with the AHs.

58. Table 3: Breakdown of compensation and assistance for 500kV PN S/C sub-project in Hung Yen province

District	Compenstion		Assistance			
	For land*	Tree and crops*	Livelihood restoration	Vocational training and jobs	Bonus for early handing-over	Grave relocation**
Van Lam	15,831,597,540	2,030,188,000	40,481,193,200	579,898,500	1,932,995,000	121,451,700

Source: LIC's report, NPPMB's official letter 1799/AMB-TCKT dated April 11, 2014 and DMS results as of September, 2014

(*) including public land

(**) This was paid to the CPCs

59. The payment was reported as very convenient for the local people. One staff in charge of payment from NPMB together with staffs from CLFD visited Viet Hung and Luong Tai communes. The payments were made at the CPC's offices. Before that, AHs were informed by loud speakers regarding the venue and timing of payments. Payment for each AH was made in one time, combined with all other assistances, i.e. for livelihood stabilization and job creation, for each AH. Payments have been made quickly with simple and favorable procedures for the affected people They signed in the compensation logbooks and were able to keep one copied sheet of each AH. A small number of AHs when asked said they were not given with receipt or logbook. They said that they were: (i) signed in the DMS proceedings to confirm their loss and the amount to be received and (i) in the payment receipts to confirm that they had received the money but no any documentation from the project were given for keeping. Since they were able to remember the compensation amounts paid, the amounts were then cross-checked by the consultant with the DMS table and compensation plan; they confirmed that the

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amounts were correct with the DMS results and the totals specified in the DMS tables and compensation plan.

Our main livelihood can be called as agriculture, but it's far different from what we used to be. Our family was taken 204m² of myself and 109m² of my younger brother's family who are living with my family under the same roof. We still have field to afford rice but are no longer making a living off it. We work for other families in the field during transplanting and harvesting times. I also work as masonry if there is a work in the village or in the commune. two of my children are going to school so I use the compensated and assisted money to partly invest in their schooling and partly put in the bank as saving. For daily life we can afford rice and foods which is bought off my wages which is basically affordable for family's expenditures. If I can get training, I would like to learn more about masonry, if I am mastered in masonry, the income is very good." In-depth interview with Mr. Vu Van Vinh, AP, Dong Trung village, Viet Hung commune

For you to imagine, wage of one day of transplanting is 300 thousand VND/day; ploughing 150 thousand VND/360m²; harvesting 300 thousand VND/360m², masonry 300 thousand VND/day, off the record, we are farmers, but mostly we live based on wages, our rice field is just for food affordability." In depth interview with Mr. Nguyen Minh Long, Sam Khuc village, Viet Hung commune

60. There was one case in Dong Trung village of Mr. Nguyen Van Dinh's. He refused to receive payment for his family, however, it is not because his family has problem with the DMS, pricing or payment whatsoever, but because he has some verbal complaints about the project communication and the compensation of public land in general which will be elaborated in the Complaint and Grievance Redress Section. His family had 477m² to be revoked and the total amount he is about to receive is VND 130,698,000 including VND 31,482,000 of land compensation. He said he would not receive the money until his verbal complaint is taken into consideration.

V.5 Assistance delivery

61. Types of assistances are mostly (1) for livelihood stabilization, (2) for occupation changing and job generation, (3) for people with temporary titles which is equal to 30% of the compensation rate of the permanent titles (i.e. 30% of 70,000 VND/m²) (without receiving the (1) and (2), this is only found in BN2-PN 500/220kV T/L sub-project in Bac Ninh province, in Hung Yen, most of the titles are permanent,) and other types of assistance such as bonus for early moving (10,000 VND/m² in Hung Yen only) and removing graves.

V.5.1. 500kV/220kV BN2-PN T/L sub-project

62. The assistance payments were made in cash for in both sub-projects. In general, 500kV/220kV BN2-PN T/L sub-project has small impact due to implementation of transmission line. In Bac Ninh province, accordingly updated DMS, for foundation construction, there are 25 household losing from 10% to 30% of total land holdings. Notwithstanding, assistance for livelihood stabilization and occupation changing and job creation have been provided in accordance with the current laws and project policy. The amounts were paid together with the compensation payment at a time. The applications of unit prices are found comply with the current regulations. The total assistance amount of the 25 households is as the following tables:

Table 4: Assistance amount of 25 severely affected households

No	District/Commune	AHs	Area (m ²)	Assistance
1	Gia Binh/Lang Ngam	1	304.40	109,584,000

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2	Tien Du/Lac Ve	4	1,455.40	523,944,000
3	Tien Du/Minh Dao	3	1,175.30	423,108,000
4	Tien Du/Canh Hung	4	1,742.00	627,120,000
5	Que Vo/Chi Lang	4	1,693.10	609,516,000
6	Thuan Thanh/Nghia Dao	9	3,792.10	1,365,156,000
	Total	25	10,162	3,658,428,000

Source: DMS 2014

Table 5: Compensation and assistance entitlement policy applied for BN2-PN 500/220kV T/L sub-project

No	Types of assets	Unit	Unit prices (VND/m ²)	Legal documents
1	Assistance for livelihood stabilization	m ²	10,000	Paragraph 1, Article 8, Decision No.171/2009/QD-UBND dated Dec. 18, 2009 of Bac Ninh PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Bac Ninh province
2	Assistance for occupation changing and job generation	m ²	350,000	Article 1 Decision No.157/2011/ QD-UBND dated Dec. 27, 2011 of Bac Ninh PPC on amending Item 1, Article 10 of Decision No.171/2009/QD-UBND dated Dec. 18, 2009 of Bac Ninh PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Bac Ninh province, revising Article 10 of Decision No.171/2009/ QD-UBND dated Dec. 18, 2009 of Bac Ninh PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Bac Ninh province

Source: Synthesized by IMC, December, 2014

V.5.2. 500kV PN S/C sub-project

Table 6: Compensation and assistance entitlement policy applied for PN 500kV S/C sub-project

No	Nature of assistance	Unit	Unit prices (VND/m ²)	Legal documents
1	Assistance for livelihood stabilization	m ²	10,000	Paragraph d, Article 29, Decision No.09/2011/QD-UBND dated June 1st , 2011 of Hung Yen PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Hung Yen province
2	Assistance for occupation changing and job generation	m ²	198,000	Decision No.09/2011/QD-UBND dated June 1st , 2011 of Hung Yen PPC on procedures on compensation, assistance and resettlement in the event of land recovery by the State in Hung Yen province

Source: Synthesized by IMC, December, 2014

V.6 Severely affected households:

63. According to the RP, severely affected households mean all APs that lose 10% or more of total productive land, other assets and/or income sources or lose 10% or more of their total income sources due to the Project. Accordingly, the results of Detailed Measurement Survey for foundation show that 370 HHs in total have been affected by the sub-project in 4 districts of Tien Du, Que Vo, Gia Binh and

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Thuan Thanh in Bac Ninh province, of which, 25 AHs were losing more than 10% their agricultural land, and no AH being relocated or resettled, no AH having their houses/structures affected. All of them informed that their incomes are no longer based on only agricultural activities but also based on other businesses.

64. In Hung Yen province, it was identified in the DMS that there are 174 HHs losing from 10-30% land area, 90 HHs losing from 30-70% and 1 HH losing more than 70% of total land holding. While assistance amount for livelihood stabilization is paid directly to the AHs, assistance for vocational education and training for the severely affected households are transferred to the account of Hung Yen Department of Labor, Invalids and Social Affairs to provide training for those AHs who have desires to get vocational training for doing a new job. It was shared by Viet Hung CPC staff and local people during the survey that AHs feel very inconvenient with this set up, since Viet Hung and Luong Tai communes are about 50km far from the capital city of the province, if someone wants to get training they should pay more for logistics to get training than the funding for training itself. It was also asked by the Viet Hung CPC staff and people in the questionnaires and in-depth interviews that if possible, they would like to receive the assistance in cash so that they can have more specific and practical for vocational training plans.

Table 7: Compensation and assistance for severely affected households

Entitled Persons	Type & Level of Impact	Compensation Policy	Implementation Issues
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organizations	More than 10 percent or more of total productive landholding affected	a/ As a priority, allocation of replacement land: (i) equal in area to affected land up to a maximum of land quota in the locality; (ii) of same category (or productive capacity); (iii) at a location satisfactory to DP; (iv) with full title in the names of both the household head and his/her spouse; and (v) without charge for taxes, registration and land transfer charges; and b/ Economic rehabilitation package; Or, if DP opts, a/ Cash compensation at replacement cost); and, b/ Economic rehabilitation package (see G, below).	If remaining land holding is not economically viable i.e. is too small to be economically cultivated, the subproject will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARB for each case. DCARB will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation. Full payment for AHs at least 01 months before site clearance

Source: Updated RP for Pho Noi 500kV substation subproject.

V.7 Vulnerable households:

65. According to the DMS results, there are 78 affected households that are woman headed HH out of 370 AHs, no poor household and no ethnic minority ones in 04 districts of 500kV/220kV BN2-PN T/L sub-project. The survey results show no poor households in the surveyed villages. i.e. household with income of less than VND 500,000 /head/month).

66. According to the DMS results, in 500kV PN S/C sub-project, there are 67 affected households that are women headed HH out of 422 households. During the survey, it was identified that there are 6 poor households in the surveyed villages of Sam Khuc and Dong Chung of Viet Hung commune i.e. household with income of less than VND 500,000 /head/month).

67. It is then commonly confirmed by the Chairmen of the CPCs in the two surveyed areas that the reason for such a high percentage of the households with woman headed that the names were listed in the DMS list are the red-book holders which were issued long time ago i.e. since 2001. So many changes in terms of demographical data since then which IMC has not enough time and resource to go further into it. It was informed that the assistance for this type of vulnerability is not made available to the people. It is then recommended that these households are being assisted by the project in accordance with the project policy of table 10 below:

Table 8 : Entitlements for vulnerable households

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
Vulnerable DPs (the poor, war invalid person, woman headed household, the elderly)	Assistance to the poor and vulnerable households to improve their social and economic conditions.	For the poor households, cash assistance equal to 30 kg of rice (at market price) per each family member per month for at least 6 months. For other vulnerable DPs, assistance of VND 2,000,000 per household to improve their social and economic conditions	Eligible households are those who are classed as vulnerable under MOLISA definition.

Source: RP 2011

V.8 Gender:

68. The following are the review made by IMC by means of survey and observation regarding the gender strategies listed in the resettlement plan to be complied with.

Table 9: Gender strategies and compliance

No	Issues addressed in RP	Observed by IMC
1	The CARB will include representatives from provincial and WU at district level, while the commune level resettlement committees will include representatives from the WU at commune and village level, and women from affected households. One representative from female headed households will be included in each commune level resettlement committee.	500kV/220kV BN2-PN T/L sub-project (BN): Partly complied with; CARBs include representatives from provincial and WU at district level but not at commune and village level and from affected households 500kV PN S/C sub-project (HY): Not relevant since the province does not set up CARBs for district level, CLFD at provincial level was assigned to work in the land acquisition issue for HY. No participation of WU in this activity whatsoever.
2	During RP updating, a capacity building training program/workshop on resettlement activities will be designed for the women and men commune officials, and women and men from affected households to orient them about RP updating and implementation of resettlement activities. Participation of poor women, female headed households in the training will be ensured. Training will also include representatives from government line agencies and representatives from the VWU at commune and village level and other mass organizations including the Fatherland Front, War Veterans Association, Farmers Association and Youth Union.	Need further observation, LIC consultant has conducted surveys and prepared updated RPs, newly updated RPs are yet to be available at this monitoring time

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No	Issues addressed in RP	Observed by IMC
3	<p>The capacity building training/workshop will include information on resettlement activities, compensation procedures, entitlement, management of compensation money, and grievance procedures. The objective of the training is to provide affected communities with understanding of resettlement issues and better access to compensation resources and information on grievance procedures.</p> <p>The training will be arranged in a suitable time for women, especially for poor women, to ensure their participation.</p>	-same as above-
4	<p>The capacity building training on resettlement issues will be conducted separately for men and women. Training/workshop should be conducted in Vietnamese.</p>	-same as above-
5	<p>In conducting the DMS, both women and men will participate in discussions related to land acquisition and other resettlement issues.</p>	DMSs discussion were reportedly participated by both women and men
6	<p>Consultation meeting on resettlement activities will be held separately and at a convenient time with affected women, and elderly women in order for them to participate in the process more effectively.</p>	Consultation meetings with AHs were organized during weekend and during afternoon when it is the most leisure time in a day
7	<p>Livelihood activities will be planned with active involvement of women from affected households. Needs assessments for livelihood activities and skill development of livelihood activities will be conducted separately for the female headed households as well the elderly women and poor women. In designing livelihood activities, appropriate economic activities for women affected households will be included in the program in order to avoid any marginalization of women's contribution to household economy.</p> <p>Livelihood program for women will emphasize homestead based productive activities such as livestock raising, backyard poultry, fish pond, etc. Livelihood activities for women will include activities which will bring immediate return. Livelihood activities will be lined with active involvement of women from affected households. Needs assessments for livelihood activities and skill development of livelihood activities will be conducted separately for the female headed households as well the elderly women and poor women. In designing livelihood activities, appropriate economic activities for women affected households will be included in the program in order to avoid any marginalization of women's contribution to</p>	To the reporting time (i.e. December 2014, no vocational trainings have been yet made available to the AH as a way of livelihood program for women.

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No	Issues addressed in RP	Observed by IMC
	household economy. Livelihood program for women will emphasize homestead based productive activities such as livestock raising, backyard poultry, fish pond, etc. Livelihood activities for women will include activities which will bring immediate return.	
8	Relocation of houses in the resettlement sites will include separate discussion with women from affected households including female headed households for selection of sites, housing structure and other social infrastructures;	Not relevant since there is no resettlement case under the two sub-projects
9	Compensation money will be given to both men and women from the affected households;	Complied with
10	Specific attention will be provided to the poor women headed households on timely compensation and providing input for developing relevant livelihood activities;	The project needs to be more specific and more sensitive about the vulnerable groups. To date, no official statistical data regarding the poor, women headed AHs under the sub-projects , i.e. official papers, decisions, etc
11	Joint registration of land rights in the names of husband and wife in instances where land is acquired and compensation is made by land;	Need further observation as at this stage, red books reissuance regarding the new land area after acquisition is not available.
12	Sensitization training on gender and resettlement will be provided to relevant personnel of NPMB, CARB, Commune Resettlement Committees, VWU and other relevant mass organizations for effective planning of resettlement activities which is beneficial for men, women and children.	Training on gender and resettlement was reportedly integrated into other training courses
13	Disaggregated monitoring indicators by gender and ethnic minority affected households will be developed for monitoring on capacity development training program, livelihood program, resettlement committee and relevant resettlement related activities.	No ethnic minority AH is found in these two sub-projects. Disaggregated monitoring indicators by gender are complied with

V.9 Complaints and grievance redress:

69. Under the sub-projects, grievance redress mechanisms have been established which allow APs to appeal their problems arising from the compensation/allowance/assistance and to settle any general project-related disputes.

70. In order to ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Otherwise, all APs are not ordered to pay any fee during the grievance and complaints at any level of trial and court.

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71. At the time of monitoring (December 2014), no official complaint, i.e. written complaint, has been logged at the surveyed communes in Bac Ninh province and Hung Yen province.

72. In the two communes of Tri Phuong and Chi Lang of Tien Du and Que Vo Districts, Bac Ninh province, there are many verbal complaints about the borrowed land area for construction from the AHs. The soil were excavated upside down during the construction for borrowing soil for the foundation, hence, the underground layer of clay and cobbles have been exposed which may cause troubles for agricultural production for local people after the land is returned to them. The contractors have returned the borrowed land to the local people before the deadline of borrowing land was December 31, 2014; and the contractors have deposited 10 million VND/tower for the affected communes as the commitment/mortgage for returning the sites after construction. Still, AHs are complaining about the quality of the returned site which was poorly recovered by the contractor.

73. There are CPC staff and local people, during the survey, expressed their concerns about the Electromagnetic Field (EMF) problem as they anticipated that after the circuits are closed, they living environment might be threaten by the EMF and this might barrier they from development opportunities.

74. The monitoring consultant noted one recommendation from Mr. Nguyen Dac Hai's household in Que Hoi village, Mr. Le Van Hieu and Ms Dao Thi Cuong in Thuy vilage, Chi Lang commune, Que Vo district for additional land acquisition in the remaining land area surrounding one tower foundation since the remaining area would be no longer convenient for their family to cultivate rice. Since they had lodged his proposal (November 2013) before the final decision DCARB (November 2014), their requests were considered and accepted in the proposed plan and approved through the Decision of land recovery by Decision 3246/QD-UBND of Que Vo DPC. They had received the compensation and assistance amounts for the additional acquisition.

75. Verbal complaint regarding the public disclosure, public consultation was raised by Mr. Nguyen Van Dinh in Dong Trung village, Viet Hung commune, and Van Lam district. He refused to receive payment for his family, however, it is not because his family has problem with the DMS, pricing or payment whatsoever, but because he has some verbal complaints about the project policy of public land in general. It was noted down by the consultant that he complained while the public land i.e. ditch, footpath in the village etc were "managed" by Viet Hung CPC, the assistance amount should be transferred to the village since the villagers took much time, money and effort in maintaining and upgrading these works. It is also proposed by IMC that CLFD and Van Lam District Division of Natural Resources and Environment settle this issue, i.e. provide him with legal documents and explanations.

V.10 Coordination among stakeholders:

76. Institutional arrangement and implementation in the two sub-projects are very important as the whole process are going through these institutions, the participation of the relevant agencies from the central to province, district and commune level was hierarchically described in the first monitoring report.

77. The coordination among the NPMB, CARBs, Communal People Committees and Local people were generally good.

78. NPMB cooperates with the provincial Department of Natural Resources, Environment and the specialized cadastral agency having a contract with NPMB prepare the DMS Before census and detailed measurement survey, PPMB in cooperation with local authorities of districts and communes provide sub-project information to residents in the sub-project area.

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79. Information was provided through the CARBs to the CPCs. CPCs disseminated the information to the chiefs of village and the local people. DMS was taken with the participation of NPMB staff, CARBs, CPCs and the villagers.

80. Preparation and Execution of Compensation Plan: DCARBs and NPMB prepare for applying prices and preparing compensation tables for each affected commune. People's Committees of districts appraise these tables in respect of prices, quantities of affected assets, rights that the displaced persons are entitled to, etc. before notifying each commune for review and comments. Compensation and assistance was paid directly to the APs under the supervision of representatives of DCARBs, PPCs and chiefs of the villages.

VI. CONCLUSIONS AND RECOMMENDATIONS:

VI.1 Conclusions

81. Generally, the implementation of compensation and resettlement plan proved to be good, complying with the resettlement procedures presented in the project RP and the legal documents of Vietnamese Government. As of December 2014, the compensation for the transmission line and towers in Bac Ninh has been carried out in most parts. The compensation for the substation in Hung Yen has almost finished with some pending cases.

82. There is a close and supportive coordination among the stakeholders regarding preparation and implementation of compensation and assistance steps.

83. After the Resolution 139/NQ-HDND dated June 10, 2014 of Bac Ninh Provincial People's Council, the problem of legitimacy of Bac Ninh 2 Pho Noi 500kV/220kV transmission line sub-project in terms of changing land use purpose under the provisions of the current laws has been solved. After that the DCARBs and the DPCs are now in the position to formalize all the procedures needed.

84. Generally, the resettlement objectives have been fairly achieved for 500kV/220kV BN2-PN T/L sub-project and 500kV PN S/C sub-project

VI.2 Recommendations

85. To ensure rights and benefits of affected people, the NPMB and DCARBs need to resolve all the problems presented in the Section on Complaints and grievance redress.

86. Project is to consider the request of Viet Hung commune on transfer money for assistance for vocational training for severely affected households back to each AHs so that can joint in the training courses of their choice with more affordable costs.

87. Project is to consider assisting 01 household in Tu Ne village, Minh Dao commune, 500kV/220kV BN2-PN T/L sub-project and 10 AHs in Viet Hung commune, 500kV PN S/C sub-project which are single women headed AHs That these households are being assisted by the project is in accordance with the project policy.

88. Project Information Book (PIB) for the AHs including all the project information and the contact information of the persons in charge i.e. NPMB's and DCARBs' officers are needed according to the donor's SPS, for the information disclosure and consultation rounds in the sub-project on 500kV Pho Noi substation, PIB should be made available.

89. Vocational training programs for the AHs should be tackling, as being observed by IMC, they keen on jobs which need immediate skills (masonry, tailoring etc). The project communes are

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recommended to help put together the list of vocational training needs to submit to the Provincial Departments of Labor, Invalids and Social Affairs to consider.

90. Monitoring during the construction phase should be enhanced to ensure that any negative impacts on the local people during construction will be measured and compensated in accordance with the project policies.

APPENDICES

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Appendix 1. List of Staff met for in-depth interviews and focused group discussions

No.	Full name	Position, working organization
	NPMB	
1	Mr. Manh	Chief of Resettlement and Compensation Division
2	Mr. An	Planning division
3	Mr. Quan	Planning division
	DCARBs	
4	Mr. Hoi	Chief of Division of Natural Resources and Environment, Tien Du district
5	Mr. Minh	Chief of Center for Land Fund Development, DONRE, Hung Yen province
6	Ms Tran Trung Phu	Expert, Center for Land Fund Development, DONRE, Hung Yen province
7	Mr. Do The Toan	Deputy Chief of Division of Natural Resources and Environment, Van Lam district, Hung Yen province
	Communal Peoples Committees (CPCs)	
8	Mr. Dao Tien Bac	Chairman of Tri Phuong CPC, Tien Du District
9	Mr. Nguyen Danh Huu	Land Administration officer of Tri Phuong commune
10	Mr. Nguyen Van Hung	Chief of Tri Phuong Commune Police
11	Mr. Khanh	Chief Executive Officer of Chi Lang CPC
12	Mr. Nguyen Van Ly	Chairman of Viet Hung CPC
13	Mr. Nguyen Van Sy	Land administration officer of Viet Hung CPC
	Villages	
14	Mr. Phan Van Can	Chief of Nuong village, Tri Phuong commune, Bac Ninh
15	Mr. Van	Chief of Giao village, Tri Phuong commune, Bac Ninh
16	Mr. Dinh Hien	Chief of Cao village, Tri Phuong commune, Bac Ninh
17	Mr. Nguyen Duc Hoa	Father Front of Tu Ne village
18	Mr. Diep	Chief of Quy Hoi village, Chi Lang commune
19	Mr. Vu Minh Tuan	Chief of Sam Khuc village, Viet Hung commune, Hung Yen
20	Mr. Nguyen Van Phu	Chief of Dong Chung village, Viet Hung commune, Hung Yen
21	Mr. Nguyen Van Dinh	Communism Party Secretary of Dong Chung village

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Appendix 2. List of interviewed APs

No	Full name	Address
1	Dang Cong De	Tri Phuong commune, Tien Du District, Bac Ninh province
2	Nguyen Thi Hoan	Tri Phuong commune, Tien Du District, Bac Ninh province
3	Le Duc Thuan	Tri Phuong commune, Tien Du District, Bac Ninh province
4	Dang Cong Chung	Tri Phuong commune, Tien Du District, Bac Ninh province
5	Dang Cong Xiem	Tri Phuong commune, Tien Du District, Bac Ninh province
6	Dang Cong Bieu	Tri Phuong commune, Tien Du District, Bac Ninh province
7	Nguyen Thi Gia	Tri Phuong commune, Tien Du District, Bac Ninh province
8	Pham Van Anh	Tri Phuong commune, Tien Du District, Bac Ninh province
9	Dinh Thi Huu	Tri Phuong commune, Tien Du District, Bac Ninh province
10	Pham Van Dang	Tri Phuong commune, Tien Du District, Bac Ninh province
11	Nguyen Thi Ngan	Tri Phuong commune, Tien Du District, Bac Ninh province
12	Dinh Van An	Tri Phuong commune, Tien Du District, Bac Ninh province
13	Dinh Thi Kip	Tri Phuong commune, Tien Du District, Bac Ninh province
14	Nguyen Tuyen Long	Tri Phuong commune, Tien Du District, Bac Ninh province
15	Nguyen Duc Hai	Chi Lang commune, Que Vo district, Bac Ninh province
16	Nguyen Duc Truong	Chi Lang commune, Que Vo district, Bac Ninh province
17	Dao Duc Hiep	Chi Lang commune, Que Vo district, Bac Ninh province
18	Nguyen Van Tai	Chi Lang commune, Que Vo district, Bac Ninh province
19	Tran Van Huan	Chi Lang commune, Que Vo district, Bac Ninh province
20	Chu Van Kiem	Chi Lang commune, Que Vo district, Bac Ninh province
21	Nguyen Van Cu	Chi Lang commune, Que Vo district, Bac Ninh province
22	Phan Van Chi	Chi Lang commune, Que Vo district, Bac Ninh province
23	Phan Van Quy	Chi Lang commune, Que Vo district, Bac Ninh province
24	Chu Thi Hang	Chi Lang commune, Que Vo district, Bac Ninh province
25	Chu Van Trinh	Chi Lang commune, Que Vo district, Bac Ninh province
26	Nguyen Van Hiep	Chi Lang commune, Que Vo district, Bac Ninh province
27	Nguyen Van The	Viet Hung commune, Van Lam district, Hung Yen province
28	Nguyen Van Anh	Viet Hung commune, Van Lam district, Hung Yen province
29	Dao Van Nho	Viet Hung commune, Van Lam district, Hung Yen province
30	Nguyen Thi Nhan	Viet Hung commune, Van Lam district, Hung Yen province
31	Nguyen Van Siu	Viet Hung commune, Van Lam district, Hung Yen province
32	Vu Van Ngoan	Viet Hung commune, Van Lam district, Hung Yen province
33	Dao Van Chi	Viet Hung commune, Van Lam district, Hung Yen province
34	Tran Thi Tu	Viet Hung commune, Van Lam district, Hung Yen province
35	Tran Van Thanh	Viet Hung commune, Van Lam district, Hung Yen province
36	Vu Van Kien	Viet Hung commune, Van Lam district, Hung Yen province

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No	Full name	Address
37	Nguyen Thi Len	Viet Hung commune, Van Lam district, Hung Yen province
38	Lai Duc Le	Viet Hung commune, Van Lam district, Hung Yen province
39	Nguyen Van Thanh	Viet Hung commune, Van Lam district, Hung Yen province
40	Do Van Khoi	Viet Hung commune, Van Lam district, Hung Yen province
41	Vu Van Vuong	Viet Hung commune, Van Lam district, Hung Yen province
42	Do Van Giap	Viet Hung commune, Van Lam district, Hung Yen province

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Appendix 3: Discrepancies between GoV’s regulations and ADB Safeguard Policy Statement

Major issues	GoV’s regulations (197/2004/ND-CP, 69/2009/ND-CP)	ADB’s policy (ADB SPS, 2009)	Project Policy
Severely impacted DPs losing productive land	Decree 69, Art 20: For significantly impacted APs, livelihood restoration measures cut in when AP loses at least 30% of productive agriculture land	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's assets shall be considered as threshold.
DPs without LURC	Decree 69: Article 23: Persons whose main income is derived from agricultural production whose land is acquired by the Government and cannot satisfy LURC and compensation conditions stipulated in Article 8 of Decree No.197/2004/ND-CP and Articles 44, 45 and 46 of Decree No. 84/2007/ND-CP will be referred to the Provincial Peoples’ Committee for consideration of the level of assistance to be provided in conformity with the locality's actual conditions	Those DPs without legal title to land will be included in consultations. Ensure that DPs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost. Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.	Project affected people, without legal or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and project benefit schemes where possible, and be compensated for their lost non-land assets such as dwellings and structures occupied before cut-off date. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-project living standards and income levels
Compensation for lost land	Article 9, Decree 197: The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for the type of land which has been used for at the time of land acquisition. Decree 69, Art 11, Art 16, Compensation is land for same-use land or if not available the AP can be compensated in cash based upon the market	Land based livelihoods restoration based upon land based strategies where possible, or cash compensation at replacement value provided loss of land does not undermine livelihoods for those with legal rights to land.. Provide adequate and appropriate replacement land. If land not available nonblank based options built around opportunities for employment, self-employment should be provided in addition to cash compensation for land and non-land assets lost.	Where appropriate land-based compensation is not viable replacement cost surveys have been carried out and will be carried out by the project staff to ensure that project rates for all categories of loss will be equivalent to replacement cost at current market value, to be updated at the time of compensation and

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Major issues	GoV's regulations (197/2004/ND-CP, 69/2009/ND-CP)	ADB's policy (ADB SPS, 2009)	Project Policy
	transfer price of such land at the time of the decision to acquire. Compensation limited to the allowable land quota, unless land over limit due to inheritance or legally transferred from other persons, or unused land developed according to the land use plan approved by the authorities. If not, compensation only for improvements on that land.		combined with other assistance and livelihood restoration measures to ensure full restoration and improvements. Provided AP has legal or recognizable claim, compensation is for full amount of land acquired.
Differences between compensation rates and market rates	<p>Dec 69 Art 14(2): If compensation is through new land or allocation of land at a resettlement area or by housing and the replacement is valued at less than the land acquired, the price difference will be paid in cash.</p> <p>Dec 69 Art 14(2a) If replacement residential land or the amount compensated to purchase a replacement house is more than the actual replacement cost, the AP still receives the full amount. Dec 69 Art 14(2b) if the compensated amount is less than the replacement residential land and house the AP will pay the difference themselves except for cases covered by Art 19(1) – this will not apply to (poor) DPs who will be assisted by the State. If the AP does not receive land or house at the resettlement site the AP will receive the cash difference.</p>	Provide physically and economically DPs with needed assistance including i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of DPs economically and socially into host communities, ii) transitional support and development assistance such as land development, credit facilities, training or employment opportunities, and, iii) civil infrastructure as required.	Physically displaced (relocated) DPs are to receive relocation assistance, secured tenure to relocated land, with comparable access to production and employment opportunities, and civic infrastructure and community services as required, transitional support and development assistance such as land development, credit facilities, training or employment opportunities
Compensation for structures	<p>Dec 69 Art 24 – Compensation for House, Structures on Acquired Land.</p> <p>Clause (1) – Compensation for DPs residential structures based on value of newly constructed house/structure equal to technical standard</p>	Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs,

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Major issues	GoV's regulations (197/2004/ND-CP, 69/2009/ND-CP)	ADB's policy (ADB SPS, 2009)	Project Policy
	issued by MoC and based on house area and unit prices issued by PPC. Clause (2) other structures compensation equal to: a) total present value using unit costs for newly constructed house/structure using MoC technical standards and depreciated to present value of acquired house/structure. Maximum value cannot exceed 100% of new value of acquired house/structure		iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.
Compensation for registered businesses	Articles 26, Decree 197: Only registered businesses are eligible for assistance. Decree 69 Art 20(2) if business must be suspended AP is compensated with max 30% of after tax income in one year, averaged over last 3 years as certified by Tax Dept.	Affected business owners are entitled to i) costs of re-establishing commercial activities elsewhere, ii) the net income lost during the transition period, iii) costs of transferring and reinstalling plant, machinery and equipment.	Affected business owners are entitled to i) costs of re-establishing commercial activities elsewhere, ii) the net income lost during the transition period, iii) costs of transferring and reinstalling plant, machinery and equipment.
Compensation for nonregistered businesses	Decree 69 only recognizes formal registered businesses as entitled to compensation for lost income based upon Tax Office records	No distinction between registered or nonregistered businesses in regards to compensation entitlement for lost income and other assistance.	The DPC must certify that the AP has a business in current operation and approve the level of lost income.
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting	The Executing Agency (EA) must appoint an independent external monitor and undertake internal monitoring according to the critical indicators.